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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,026	01/25/2006	Bertram Sugg	R.304045	8866
2119 PONALD E. C	7590 08/08/200°	EXAMINER		
	REIGG P.L.L.C.	GORDON, BRYAN P		
1423 POWHATAN STREET, UNIT ONE ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
ALLM HOTCH	.,		2809	
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			MAIL DATE	DELIVERY MODE
		•	08/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Eateresistors of time may be a similar based on the properties of 37 CFR 1.35(a). In severth convewer, may a reply test leave little of the communication of 37 CFR 1.35(a). In severth converve, may a reply test leave little of this communication. 1 NO period for reply is societied above, the maximum statutory partod will apply and will easily estimate the similar date of this communication. Patients are reply within the set or restanded period for reply littly statute, cause the application to become ABANDONED (33 U.S. C.§ 133). Any reply received by the Office later than three morths after the mailing date of this communication, even if threely filled, may reduce any seamed patient turn adjustment. Set 37 CFR 1.70(10). Status 1) Responsive to communication(s) filled on 25 January 2006. 2a) This action is FINAL 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 9:16 is/are pending in the application. 4) Claim(s) 9:16 is/are allowed. 6) Claim(s) 9:16 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 3:4 are objected to by the Examiner. 10 The drawing(s) filed on 25 January 2006 is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The procification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No			-31-				
Examiner Bryan P. Gordon 2809		Application No.	Applicant(s)				
Byan P. Gordon Byan P. Gordo		10/540,026	SUGG, BERTRAM				
The MALING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Eathertance for the major available under the provision of 30° FRT 130° in the event, however, may a reply be timely filled. If NO period for reply is appected above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the making date of this communication. Failive for reply within the set of cerebrade period for rigin will. by stands, cause the application to become ABANCHOCK (35 U.S. €, 132) example and the set of the communication and the set of the communication and the set of the communication, even if limitely filled, may reduce any cerebral patient term \$\frac{1}{2}\text{status}\$. Status Status Status 1) □ Responsive to communication(s) filled on 25 January 2006. 2a □ This action is FINAL. 2b □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 9-16 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) □ Claim(s) is/are allowed. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) 9-16 is/are pending in the application. 4phication Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 25 January 2006 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to See 37 CFR 1.121(d). 11) □ The drawing(s) filed on 25 January 2006 is/are: a) □ accepted or b) □ objected to See 37 CFR 1.121(d). 11) □ All b) □ Some * c) □ None of: 1. □	Office Action Summary	Examiner	Art Unit				
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DETAILED ACTION

Election/Restrictions

- 1. Applicant's election of claims 9-16 in the reply filed on 20 July 2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
- 2. Claims 17-28 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 20 July 2007.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 9-16 rejected under 35 U.S.C. 102(b) as being anticipated by Schreiner (PG Pub 20020175591).
- 5. Consider claim 9, Schreiner teaches (Figure 1) a piezoelectric actuator (1), having a multi-layered construction of piezoelectric layers (2) interleaved with inner electrodes (3) and having an alternating contacting of the inner electrodes with outer electrodes (4,5), the regions between the outer electrodes being provided with an insulation, characterized in that an insulating layer (paragraph 0006), which is

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comprised of a material with properties virtually identical to those of the piezoelectric layers, is applied to the outer surface of the piezoelectric actuator in the region between the outer electrodes (paragraph 0011).

- 6. Consider claim 10, Schreiner teaches the insulating layer encloses the edges of the piezoelectric actuator (paragraph 0006).
- 7. Consider claim 11, Schreiner teaches the insulating material is slip (paragraph 0006).
- 8. Consider claim 12, Schreiner teaches the insulating material is slip (paragraph 0006).
- 9. Consider claim 13, Schreiner teaches the outer electrodes are attached to regions of the insulating material that have been uncovered by grinding (paragraph 0006).
- 10. Consider claim 14, Schreiner teaches the outer electrodes are attached to regions of the insulating material that have been uncovered by grinding (paragraph 0006).
- 11. Consider claim 15, Schreiner teaches the outer electrodes are attached to regions of the insulating material that have been uncovered by grinding (paragraph 0006).
- 12. Consider claim 16, Schreiner teaches the outer electrodes are attached to regions of the insulating material that have been uncovered by grinding (paragraph 0006).

Conclusion

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13. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Bryan P. Gordon whose telephone number is 571-272-

5394. The examiner can normally be reached on Monday-Thursday 7:30-5:00, Friday

7:30-4:00.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Angela Ortiz can be reached on 571-272-1206. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SUPERVISORY PATENT EXAMINER

8/3/07